

**BY ECF**

The Honorable Philip M. Halpern  
United States District Judge  
300 Quarropas Street  
White Plains, New York 10601

Re: *Michael Giles v*

Application granted. In compliance with the Court's Individual Practices (Rule 1(C)), the parties are directed to file, by December 23, 2020, an Amended Civil Case Discovery Plan and Scheduling Order (available at <https://www.nysd.uscourts.gov/hon-philip-m-halpern>) reflecting the agreed-upon extensions of discovery deadlines. The Clerk is instructed to terminate ECF No. 44.

Dated: New York, NY  
December 21, 2020

SO ORDERED.

  
Philip M. Halpern, U.S.D.J.

Dear Judge Halpern:

I represent the plaintiff in the above referenced civil rights action. I write on behalf of the parties, who jointly request a ninety-day adjustment of the deadlines in the Civil Case Discovery Plan and Scheduling Order (ECF Doc. 41). There are a number of reasons for this request.

As an initial matter, the parties have been working cooperatively, and have no disputes necessitating judicial intervention. Notwithstanding the limitations presented by the ongoing global pandemic, a significant amount of document discovery has been completed, and the parties have today completed a first mediation session. The parties agree that the mediation was productive, and have set a second session for January 25, 2020, after further investigation and workup of the parties' respective settlement positions can be completed. Should settlement not be achievable, the requested extension would allow for approximately 60 additional days for the parties to complete the several party depositions, as well as several contemplated non-party depositions of witnesses who will likely have to be subpoenaed as they are not under the control of the parties.

Under all of the circumstances, the parties request that the Court approve the following amended schedule:

- Non-Expert Discovery: deadline extended from 12/22/20 to 3/22/21
- Fact Discovery: deadline extended from 1/22/21 to 4/22/21
- Expert Discovery (incl. depositions): deadline extended from 3/8/21 to 6/8/21
- Close of All Discovery: deadline extended from 3/8/21 to 6/8/21

Finally, a case management conference is scheduled for March 18, 2021 at 10 a.m. The parties request a corresponding adjournment of the conference unless convening the conference as scheduled would be helpful to the Court.

Thank you for your consideration.

Respectfully,

*Brett Klein*

Brett H. Klein

cc: All Counsel (by ECF)